Appl. No. 09/629,318
Amdt. dated Janury 13, 2004
Reply to Office Action of November 6, 2003

CISCO-2707

REMARKS

Claims 1-20 are currently pending with no claim being allowed. Claims 1, 8, 13, and 15 are independent claims.

Information Disclosure Statement

The Information Disclosure Statement filed on December 27, 2000 is objected to for allegedly failing to comply with 37 C.F.R. § 1-98(a)(2) which requires a legible copy of the art be included. However, the IDS was in compliance with the rules when it was sent by the Applicant and received by the USPTO as evidenced by the stamped return postcard. A copy of the postcard is attached as an Appendix. To assist the Examiner, duplicate copies of prior art references AF through AO are included in the Appendix. If the Examiner is unable to locate any or all the other missing art, then the Applicant is willing to supply duplicate copies of these upon request as well.

The 35 U.S.C. § 102 Rejection

According to M.P.E.P. § 2131, "[a] claim is anticipated [under 35 U.S.C. §102(a), (b), and (e)] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." It goes on to state that "[t]he elements must be arranged as required by the claim..."

Claims 1-20 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by *Chiu et al.* (US 6,597,689 B1). This rejection is respectfully traversed.

Each and every element as set forth in the present claims are not found in *Chiu*. Furthermore, the various combinations of elements proposed by the Office Action are never arranged by *Chiu* in the same manner as proposed by the Office Action or as required by the present claims.

Generally, the Office Action states that *Chiu* discloses all of the claim elements and limitations. However, the rejection fails, among others, to give weight to the phrase "auto-configuring a Permanent Virtual Circuit (PVC)" as variously claimed.

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As evidenced by the title, among others, *Chiu* discloses a Switched Virtual Connection (SVC) signaling system and method. The present claims are directed to PVC. PVC and SVC are distinct. *Chiu* discloses both and describes a hybrid system that is capable of both. He proposes adding SVC because of certain drawbacks he perceives with respect to PVC. He does not propose to fix these drawbacks in PVC except by adding SVC which provides an alternative that may be superior in certain applications. Consequently, the PVC that *Chiu* describes operates in a conventional manner. *Chiu* describes configuring a PVC as follows:

> The fixed nature of the PVC circuit removes setup and disconnect overhead but takes time to initially establish because each end user and node along the path have to be configured with all the PVC parameters by the network management system (e.g., carrier), which may also involve human intervention. Typically, however, the network administrator uses a console which provides a topology of the network and the network administrator has to set the proper routing parameters node by node: This is a tedious and time-consuming process. (Col. 3, lines 49-58)

Chiu never describes auto-configuring a PVC as claimed. (See further col. 3, lines 36-48 and 59-64.) The various citations for the rejection are thus either incomplete or taken out of context. In any case, the citations fail to support the rejection which should be withdrawn.

In view of the above, it is respectfully asserted that the claims are now in condition for allowance.

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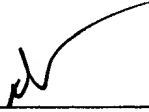Reply to Office Action of November 6, 2003

CISCO-2707

Request for Allowance

In view of the foregoing, reconsideration and an early allowance of this application are

earnestly solicited.

If any matters remain which could be resolved in a telephone interview between the

Examiner and the undersigned, the Examiner is invited to call the undersigned to expedite

resolution of any such matters.

Respectfully submitted,
THELEN, REID, & PRIEST LLP

Dated: January 14, 2004

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